REMARKS

In the above-mentioned, Office Action, all of the pending claims, claims 1-3 and 7-9, were rejected. Claims 1-3 and 7 were rejected under Section 103(a) over the combination of a 3GPP document and Tohono. And, claims 8-9 were rejected under Section 103(a) over the combination of the 3GPP document, Tohono, and Laitinen.

Responsive to the rejections of the claims, the independent claims, claims 1 and 7, have been amended in manners, as set forth herein, believed better to distinguish the invention of the present application over the cited combinations of references used against the claims.

With respect to independent claim 1, the claim has been amended, now to state that SIB 11 relates to the idle and connected mode and that SIB 12 relates to the connected mode. And, the recitation of determining is amended, now to state that the determination if a same IE type is included in each of the SIB 11 and the SIB 12 is made after receipt of both the SIB 12 and SIB 11.

In the rejection of claim 1, the Examiner acknowledge that the 3GPP document does not provide a predefined order for applying system information associated with SIB information elements but relied upon Tohono for disclosing a predefined order for applying system information with SIB information elements. The Examiner specifically relied upon Tohono for showing the predefined order being to act of system information associated with an IE in an SIB of type 11 and then upon system information associated with a same type of IE in an SIB of type 12. Claim 7 was rejected based upon a corresponding rationale.

The Examiner further stated that it is well know that a cell information list corresponding to the active cell reads on SIB 11 and that a cell information list corresponding to handover destination candidate cell reads on SIB 12.

The claims, as amended, state that SIB 11 relates to both the idle and connected modes. And, the active, candidate, and hand-over cells cannot, therefore, correspond to SIB 11 and/or SIB 12. The amended claims therefore recite a method in which the SIB 11 and SIB 12 are different than the Examiner's asserted equivalency.

The Applicants further note that, although the Examiner relied upon paragraphs 56-59 of Tohono, there is no mention in this cited portion, nor elsewhere, in Tohono of system information relating to SIB 11 or SIB 12 nor any correspondence between SIB 11 and SIB 12, nor of the idle and connected mode, nor of the connected mode.

Additionally, the Applicants further note that the claims state that the SIB relates to measurement information of type 11 and type 12. This differs with the mere reference in Tohono to active and candidate cells.

Review of Tohono indicates that the reference is concerned with controlling search timing using a cell search method. See paragraphs [0013] and [0015] of Tohono. And, paragraph [0056], specifically relied upon by the Examiner in the rejection, indicates in its step one that a search of the active cell is performed and that the reception level is updated.

Tohono fails to disclose receiving SIB 12, then SIB 11, as now-recited, then determining whether a same IE type is included in each of the SIB 11 and SIB 12, as now-recited, nor of acting upon the system information associated with SIB 11 then SIB 12 when it is determined that the same IE type is included, also as now-recited.

The recited invention, in contrast to Tohono, would operate prior to searching of a candidate cell, described in paragraph [0057] of Tohono, or an undetected cell, described in paragraph [0059] of Tohono. That is to say, there is acting upon the information associated with what the Examiner identifies to be SIB 11, even before the SIB 12 has been received, or before there has been any determination of whether the same IE type is included.

Therefore, the Applicants assert that Tohono fails to disclose receipt of both SIB 11 and SIB first, let alone of SIB 12 then SIB 11 nor of any determination thereafter whether the same IE type is included in each, or of after both SIBs have been received, applying the information associated with the identified same IEs in a predefined order.

Figure 3 of Tohono illustrates this distinction. Figure 3 shows execution of paging channel receiving cell prior to detection of a candidate cell. And, Figure 4 of Tohono illustrates updating of reception level and radio timing, without any suggestion of a method in which SIB 12 and then SIB 11 are both received first, before later determining if the same IE type is included, and acting upon the system information associated with the identified same IE types according to a predefined order.

Further, paragraph [0049] of Tohono refers to an aim of Tohono to provide for easily-adjustable cell detection ability of detection time. This disclosure directs away from the recited invention, which provides for a method in which, when SIB 12 and then SIB 11 are received, there is then a determination of a same IE, and if so, application in a defined order.

Neither the 3GPP document nor Laitinen, cited in combination to reject dependent claims 8-9, were recited for disclosing these features. And, neither of these references appears to disclose these features.

Therefore, the Applicants assert that no combination of the cited references can be created to form the invention as now-recited in independent claims 1 and 7.

As the dependent claim include all of the recitations of their respective parent claims, the dependent claims are believed to be patentably distinguishable over the cited references for the same reasons as those given with respect to their respective parent claims.

Accordingly, in light of the forgoing, the Applicants respectfully request reexamination and reconsideration for allowance of the claims, as now-presented. Such early action is earnestly solicited.

Respectfully submitted,

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